

HOUSE BILL 2601

By McKenzie

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to the Professional Educators
Collaborative Conferencing Act of 2011.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-602, is amended by deleting subdivision (3) and substituting instead the following:

(3) "Management personnel" means those management team members certified by the local board of education to represent the board in the collaborative conferencing process;

SECTION 2. Tennessee Code Annotated, Section 49-5-605(b)(1), is amended by adding the following language at the end of the subdivision:

The board shall appoint professional employees from a list of professional employee names provided by the professional employees' organization that submits a majority of signatures on the written request to conduct collaborative conferencing.

SECTION 3. Tennessee Code Annotated, Section 49-5-605(b)(3), is amended by deleting the language "eligible to vote" and substituting instead the word "voting".

SECTION 4. Tennessee Code Annotated, Section 49-5-605(b)(6)(A), is amended by deleting the first sentence of the subdivision and substituting instead the following:

The term of the members of the panel constituted as the result of a poll in which the majority respond "YES" to the first question is three (3) years from the date on which a memorandum of understanding is approved.

SECTION 5. Tennessee Code Annotated, Section 49-5-605, is amended by deleting subsection (f) and substituting instead the following:

(f) All persons or organizations that appoint representatives to serve on the conferencing team are jointly responsible for the reasonable costs necessitated in conducting the confidential poll and the chair of the special question committee shall assess the costs.

SECTION 6. Tennessee Code Annotated, Section 49-5-606(a), is amended by deleting the language:

It is unlawful for a board of education or its management personnel to:
and substituting instead the following:

It is unlawful for a board of education, the board's management personnel, the board's management team, or the director of schools to:

SECTION 7. Tennessee Code Annotated, Section 49-5-606(a)(3), is amended by adding the language "in good faith" immediately after the word "participate".

SECTION 8. Tennessee Code Annotated, Section 49-5-609, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) The board of education shall vote to approve or disapprove a memorandum of understanding no later than sixty (60) days after the date on which the memorandum of understanding is submitted to the board for approval. If the board votes to disapprove the memorandum of understanding, then the parties must continue to confer to try and reach an agreement.

(2) A memorandum of understanding is binding on the parties from the date of the memorandum of understanding's approval by the board of education as an item on the agenda of a regular or special called board meeting or at a later effective date that is explicitly stated in the memorandum of understanding.

SECTION 9. Tennessee Code Annotated, Section 49-5-609(d), is amended by deleting the language "collaborative conferencing," immediately after the word "require".

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it.